

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**DATE:** March 3, 2006

**SUBJECT:** Reports of Significant Developments and Activities  
Ending on February 24, 2006

**FROM:** Richard C. Karl, Director  
Superfund Division

**TO:** Thomas V. Skinner  
Regional Administrator

Bharat Mathur  
Deputy Regional Administrator

The activities listed below are organized by site-specific activities, other significant developments, training/conferences, and stakeholder feedback:

**SITE-SPECIFIC ACTIVITIES**

**Consent Agreement and Final Order, Stoneco, Inc., Stony Ridge and Maumee, Ohio**

On January 31, 2006, Thomas V. Skinner, Regional Administrator, signed the Consent Agreement and Final Order (CAFO) resolving the Complaints issued by the United States Environmental Protection Agency (U.S. EPA) Region 5 against Stoneco, Inc., Ohio, pursuant to Section 311 of the Clean Water Act (CWA). Stoneco has two facilities, one in Stony Ridge and the other in Maumee, Ohio. Stoneco is a paving materials and truck maintenance facility.

On August 15, 2005, the U.S. EPA filed a Complaint against Stoneco's Stony Ridge, Ohio, facility. The Complaint alleged that on May 3, 2004, the respondent discharged approximately 1,600 gallons of fuel oil from an above-ground storage tank (AST) at its facility into or upon a tributary of Henry Creek and its adjoining shorelines; and failed to provide a secondary means of containment for two 1,000 gallon ASTs at its facility. The penalty assessed for these violations was \$45,000.

On August 15, 2005, the U.S. EPA filed a Complaint against Stoneco's Maumee, Ohio, facility. The Complaint alleged that 1) on April 25, 2004, the respondent discharged approximately 6,000 gallons of fuel oil from an above-ground storage tank into or

upon Heilman Ditch and Swan Creek and the adjoining shorelines, 2) failed to amend and certify its Spill Prevention, Control and Countermeasures (SPCC) Plan for its facility subsequent to the installation of the 20,000 gallon AST, and 3) failed to provide a secondary means of containment for the 20,000 gallon AST that was the source of the April 25, 2004, spill. The penalty assessed for these violations was \$98,000.

Contact: Barb Carr (312-886-7187)

**Consent Agreement and Final Order, Tinley Ice Company, Tinley Park, Illinois**

On February 15, 2006, the Chemical Emergency Preparedness and Prevention Section filed a Consent Agreement and Final Order with the Regional Hearing Clerk for Tinley Ice Company in Tinley Park, Illinois. This agreement was reached before a Complaint was filed. This facility was fined for failure to submit to the State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and Fire Department an Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar years 2001, 2002, and 2003, as required under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 312. The agreed penalty was \$13,848.40, payable to the treasury.

Contact: Ginger Jager (312-886-0767)

**Administrative Complaint Filed, Engineered Polymer Solutions, Inc., Kankakee, Illinois**

On February 16, 2006, the Agency filed an Administrative Complaint against Engineered Polymer Solutions, Inc., Kankakee, Illinois. The complaint alleges violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 103 and the Emergency Planning and Community Right-to-Know Act Section 304. On November 24, 2002, at 1:30 p.m., an employee at the facility discovered a 2,568 pound release of naphthalene that entered into a public sewer system. Naphthalene is a hazardous substance under CERCLA with a reportable quantity of 100 pounds. This release was about 26 times the reportable quantity (RQ). The person in charge of the facility notified the National Response Center on November 25, 2002, at 4:25 p.m., or 1 day, 2 hours, and 55 minutes after the release was discovered. The owner or operator of the facility notified the LEPC on December 16, 2002, or 22 days after the release was discovered. The owner or operator of the facility provided the SERC with the

written follow-up report on January 7, 2003, or 44 days after the release was discovered. The owner or operator of the facility provided the LEPC with the written follow-up report on December 16, 2002, or 22 days after the release was discovered. The proposed penalty in the complaint is \$96,389.86. Engineered Polymer Solutions, Inc. will have 30 days to respond to the Complaint.

Contact: James Entzminger (312-886-4062)

**Assessment, Testworth Laboratories, Inc., Columbia City, Indiana**

On February 18, 2006, U.S. EPA On-Scene Coordinators (OSC) Ken Rhame and Theresa Holz met with Indiana Department of Environmental Management (IDEM) and members of the Columbia City Fire Department to conduct a visual assessment of the Testworth Labs facility. Testworth was founded in 1941 and manufactures adhesives, specialty sealers/protective coatings, release agents, and mold making compounds. IDEM requested U.S. EPA assistance after the Indiana Fire Marshall conducted an inspection of the facility and observed approximately 3,000 drums (some leaking) of various products and waste materials. The facility owner has hired a contractor to inventory wastes, re-package leaking waste containers, and clean spillage from around the facility.

Contacts: Ken Rhame (312 353-6720)  
Theresa Holz (312 886-8545)  
Tom Krueger (312 886-0562)  
Sally Jansen (312-353-9046)

**Site Visit and Public Availability Session, ASARCO-Taylor Springs Site, Taylor Springs, Illinois**

On February 23, 2006, U.S. EPA Region 5 On-Scene Coordinator (OSC) Craig Thomas, Remedial Project Manager Kate Rodriguez, Site Assessment Manager Laura Ripley, and Community Involvement Coordinator Joe Munoz met with representatives from the Illinois Environmental Protection Agency (Illinois EPA) to conduct a site visit of the ASARCO-Taylor Springs site, Taylor Springs, Illinois. In addition, U.S. EPA and Illinois EPA attended a public availability session, which was attended by Taylor Springs Mayor Carl Hallers, representatives from the Village Board, and local citizens. The purpose of the public availability session was to discuss past Illinois sampling activities on residential properties in Taylor Springs and U.S. EPA's upcoming removal site assessment of those residential properties.

Contacts: Craig Thomas (312-886-5907)  
Kate Rodriguez (312- 353-5617)  
Laura Ripley (312-886-6040)

#### **OTHER SIGNIFICANT DEVELOPMENTS**

##### **Superbowl Deployment, Detroit, Michigan**

From January 30-February 6, 2006, U.S. EPA Region 5, U.S. EPA Emergency Response Team, U.S. EPA Criminal Investigation Division/Homeland Security Division (CID/HSD), and U.S. EPA contractors provided deployment response support to Federal Bureau of Investigation (FBI), local fire and police, and other local, State, and Federal agencies. U.S. EPA provided 5 main functions through the course of this deployment. The first support function provided to the deployment by U.S. EPA was the use of AreaRAE systems at numerous venues to actively monitor the air for contamination or intentional releases. The second function provided to the deployment was U.S. EPA support to the U.S. Department of Energy (DOE) by providing equipment and trained U.S. EPA personnel to assist with radiological monitoring. The third activity was providing personnel to the Joint Hazard Assessment Teams (JHAT). The JHAT teams responded to specific areas of concern during all events to rule out threats or potential threats. The fourth task U.S. EPA conducted was assembling a stand-by team at the office in Grosse Ile, Michigan, to have the capability to respond with a 6-person team to any event including a Level A situation. The final function U.S. EPA provided was supplying personnel to the Joint Operations Center (JOC) to be liaisons/points of contact for U.S. EPA with all other agencies involved.

All pre-planned activities were conducted successfully with no major concerns or problems noted.

Contacts: Jeff Kimble (734-692-7688)  
Jason El-Zein (734-692-7661)  
Tom Geishecker (312-866-0755)

#### **TRAINING/CONFERENCES**

##### **Presentation, International Ship Masters' Association Marine Industry Day Conference, Chicago, Illinois**

On February 3, 2006, Glenn Cekus, OCEPP, gave a presentation on

U.S. EPA 5 emergency response capabilities, resources and policies at the International Ship Masters' Association Marine Industry Day Conference. Approximately 100 people attended the event, representing local shipping companies, barge companies, shipping agents, waterfront facilities, and city, State and Federal agencies. After the presentation, Mr. Cekus participated in a panel discussion with the other presenters that addressed issues and questions from the conference attendees.

Contact: Glenn Cekus (312-353-6449)

**Seminar, Federal Programs: Emergency Response, Prevention and Preparedness, Minnesota Pollution Control Agency's Air, Water and Waste Conference, Minneapolis, Minnesota**

On February 15, 2006, three speakers from the Federal government shared their perspectives and experiences about how prevention and preparedness can avoid an emergency response incident. Barb Carr, Spill Prevention, Control and Countermeasures (SPCC) Coordinator, provided an update on the regulation, and discussed the new proposals to the regulation and the extended compliance deadline (2007). Ann Whelan, Oil Planning and Response Section, provided a summary of the Unannounced Drills which have been conducted in Region 5. Lieutenant Scott Stoermer, U.S. Coast Guard, discussed U.S. Coast Guard facility inspections and their approach of compliance through partnership. Attendees included State and local regulators, the regulated industry, and consultants.

Contacts: Barb Carr (312-886-7187)  
Ann Whelan (312-886-7258)

**Training: Spill Prevention, Control and Countermeasures (SPCC) Regulation and Update, Minnesota Pollution Control Agency Air, Water and Waste Conference, Minneapolis, Minnesota**

On February 14, 2006, Barb Carr, Spill Prevention, Control and Countermeasures (SPCC) Coordinator, conducted a three-hour workshop at the Minnesota Air, Water and Waste Conference sponsored by the Minnesota Pollution Control Agency (MPCA). The attendees received credit for the training which covered the 2002 SPCC revision, the extended deadline for compliance (2007), the major components of the regulation, what to expect during an inspection, how facilities are selected for inspections, and applicability exercises. Participants included MPCA personnel, the regulated industry, and consultants. The training was very well attended.

Contact: Barb Carr (312-886-7187)

# **STAKEHOLDER FEEDBACK**

## **Letter of Appreciation (Jeff Kimble & Brian Kelly), World Medical Relief, Inc.**

Removal Section 1 received a letter of appreciation for On-Scene Coordinators (OSCs) Jeff Kimble and Brian Kelly from Rita Montgomery Grezlik, President & Corporate Executive Office (CEO), World Medical Relief, Inc. It states in part: "On behalf of World Medical Relief, Inc., I would like to thank you and the U.S. EPA for your immediate response to a historical mercury spill in our warehouse. Without your resources, I don't know how we would have been able to manage this situation on our own. We were facing a serious human health threat that we didn't even realize we had. The Emergency Response Team, under the direction of OSC Brian Kelly worked quickly and effectively to eliminate contaminated materials and clean up the site. They were gracious, informative, and helpful during a time of extreme distress for us. We really appreciated it."

Contact: Jason El-Zein (734-692-7661)

cc: Tom Dunne (OSWER)  
 Barry Breen (OSWER)  
 Ed Chu (OSWER)  
 David Lopez (OSWER)  
 Ernie Watkins (OSWER)  
 Susan Bromm (OECA)  
 Phyllis Harris (OECA)  
 Mike Cook (OERR)  
 Dana Tulis (OERR)  
 Elizabeth Southerland (OERR)  
 Larry Zaragoza (OERR)  
 Craig Beasley (OERR)  
 Joshua Barber (FFRO)  
 Region 5 State Superfund Coordinators  
 Division/Office Directors  
 ORA State Coordinators  
 Regional Team Managers